

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2, SUBSECTION 61, PEDESTRIAN SAFETY ADVISORY BOARD OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF WEST ORANGE ESTABLISHING A COMPLETE AND GREEN STREETS ADVISORY COMMITTEE AND CREATING A COMPLETE AND GREEN STREETS POLICY

WHEREAS, safe, convenient, accessible, equitable, healthy, and environmentally and economically beneficial transportation for all users is a priority of the **Township of West Orange** and

WHEREAS, Complete and Green Streets is a means to provide a comprehensive, integrated, connected multi-modal network of transportation options through planning, design, construction, maintenance, and operation of new and retrofit transportation facilities along the entire right-of-way for all roadway users of all ages and abilities; and

WHEREAS, The **Township of West Orange** established a Complete Streets Policy by adopting Resolution No. 13-02 executed by Planning Board Secretary on the 9th day of July 2013; and

WHEREAS, the Mayor and Council wishes to amend and add to its Complete Streets policy with a new Complete and Green Streets Policy to allow for safe, accessible, and convenient travel, reducing serious injuries and fatalities for all users of the roadway; and

WHEREAS, “all users” include motorists, bicyclists, pedestrians, public transportation vehicles and their passengers, delivery trucks and movers of commercial goods, persons with disabilities, older adults, and residents of Priority Communities; and

WHEREAS, Complete and Green Streets allows for multiple modes of travel, aside from personal automobiles, so that those who are unable to drive, who cannot afford a car, or choose to reduce their car usage may travel by transit, by bicycle, or on foot safely; and

WHEREAS, Complete and Green Street policies support the goals of the **Township of West Orange** master plan and supporting elements; and

WHEREAS, New Jersey is federally designated as a Pedestrian and Bicycle Safety Focus State due to high numbers of pedestrian/bicycle-involved fatalities, and New Jersey’s pedestrian fatality rate continues to significantly exceed the national average; and

WHEREAS, traffic crashes are preventable and the only acceptable number of traffic deaths for the **Township of West Orange** is zero; and

WHEREAS, Complete Streets that incorporate sustainable Green Streets design elements, such as green stormwater infrastructure, traffic calming treatments, shade trees, and the use of recycled materials, protect and create a healthier natural and social environment, improve air and water quality, and reduce localized flooding; and

WHEREAS, Complete and Green Streets implementation enhances access to local businesses, encourages reinvestment, increases property values and employment, and stimulates private investment, especially in retail districts, downtowns, and tourist areas; and

WHEREAS, Complete and Green Streets encourage an active lifestyle through increased physical activity, social connectivity, and sense of community belonging, thereby lowering risk of obesity, reducing chronic disease, improving mental health, and promoting wellness; and

WHEREAS, Complete and Green Streets implementation provides the opportunity to enhance the historic character of our communities and our understanding of our shared history in a way that promotes the economic and social vitality of our communities and should be considered in the design of infrastructure improvements; and

WHEREAS, procedures should be implemented that ensure fair treatment, equitable funding and resource distribution, and meaningful involvement of all communities in all phases from selection, planning, and design to construction and long-term maintenance; and

WHEREAS, a balanced and flexible transportation system where all people can easily and safely walk and bicycle to everyday destinations — such as schools, shops, restaurants, businesses, parks, transit, and jobs — enhances neighborhood economic vitality and livability; and

WHEREAS, low- and moderate-income areas, whether in rural, urban, or suburban communities, are typically the least safe for pedestrians and bicyclists, especially for children walking and biking to school, due to long-standing infrastructure disparities and higher concentration of streets with faster-moving and higher-volume traffic; and

WHEREAS, implementation of the Complete and Green Streets policy should not negatively impact the affordability of the neighborhood for current residents; and

WHEREAS, the Complete and Green Streets policy applies to new, reconstruction, retrofit, and resurfacing projects, including design, planning, construction, maintenance and operations, for the entire right-of-way; and

WHEREAS requests for all exceptions must be submitted in writing, with supporting documentation, and made publicly available with a minimum of 30 days allowed for public input; and

WHEREAS, all initial planning, concept and design studies of infrastructure projects consider design elements that improve public health, environment, economy, equity, and safety.

NOW THEREFORE, BE IT ORDAINED by the Mayor and Council of the Township of West Orange, State of New Jersey, that Chapter 2-61: “Pedestrian Safety Advisory Board” of the Township’s Revised General Ordinances is hereby amended and supplemented to include “Complete and Green Streets Policy” and adopts the Complete and Green Streets Policy attached hereto, and made part of this Ordinance as follows:

2-61.7-West Orange Complete and Green Streets Policy

Township of West Orange shall develop an integrated and connected multimodal transportation system of Complete and Green Streets that serve all neighborhoods and populations. Towards this end:

1. All transportation projects shall result in Complete and Green Streets that allow safe, environmentally healthy, economically sound, equitable, accessible, and convenient travel along and across streets for users of all ages and abilities and for all modes of transportation, including motorists, bicyclists, pedestrians, public transportation vehicles and their passengers, delivery trucks and movers of commercial goods and strive to meet the following goals:
 - a. Environment: Improve air and water quality; reduce flooding; mitigate traffic congestion.
 - b. Safety: Eliminate all road fatalities, significantly reduce crash severity and injury, and improve personal safety through increasing the number of people walking and bicycling.
 - c. Economic: Stimulate economic prosperity.
 - d. Health: Increase physical activity and social connectivity with the goal of lowering the risk of obesity, reducing chronic disease and promoting wellness.
 - e. Equity: Implement policies and distribute funding and other resources equitably and responsibly in all neighborhoods, particularly in Priority Communities; improve non-motor vehicle transportation systems.
2. This section shall apply to all public and/or private transportation projects, including those using funds awarded by federal, state, regional, county, municipal, or any other public agency. This shall

include new construction, reconstruction, resurfacing, restoration, repaving, rehabilitation, private development projects, and maintenance of highways, roads, and streets.

3. The **Mayor**, and the **Municipal Engineer and Planner** shall routinely work in coordination with each other and adjacent jurisdictions, and any relevant advisory committees/teams, to implement Complete and Green Streets and to ensure consistency with the **Municipal** Master Plan and Elements and any other existing Pedestrian/Bicycle/Multimodal Plans, Stormwater Management Plans, Pollution Prevention Plans, and Historic Preservation Plans.
4. Within two years of the effective date of this Policy, the **Council** shall inventory and audit procedures, policies, plans, documents, training programs, performance measures and other guidance documents to be consistent with this policy. The purpose of this audit is to identify areas where tenets of this policy will need to be incorporated. This includes, but is not limited to, funding, planning, designing, operating, and maintaining transportation infrastructure. The **Council** will use this audit to incorporate this policy as updates to its procedures, plans, policies, etc. as they are scheduled.
5. Transportation projects and Master and Capital Plans shall include, when appropriate, sustainable design elements, including, but not limited to:
 - a. Green stormwater infrastructure practices
 - b. Traffic calming
 - c. Shade trees and other vegetation
 - d. Rain gardens
 - e. Bioswales
 - f. Permeable pavements — including those made from recycled materials such as rubber, concrete, glass, and plastic.
6. Transportation projects and Master and Capital Plans shall include, where appropriate, pedestrian and bicycle design elements and transit amenities, including but not limited to: curb extensions, sidewalks, radar feedback signs, pedestrian countdown signals, pedestrian refuge islands, road diets, lane width reductions, chicanes, roundabouts, bike lanes, protected bike lanes, bike parking, lighting, wayfinding, seating, trash receptacles, transit amenities, etc.

7. The **Council** shall utilize the most current editions of guides, manuals, and best practices on street design, historic preservation, construction, operations, and maintenance that apply to bicycle, pedestrian, transit, stormwater and highway facilities. All manuals, standards, and guidelines shall be made publicly available online.
8. The **Mayor** shall lead the implementation of this Policy and formally coordinate with the **Director of Planning, Municipal Engineer, Economic Development Commission, Downtown West Orange Alliance, Public Works, Director of Health, etc.** with advice and input from **Planning Board, Zoning Board, Pedestrian Safety Advisory Board, Land Use Committee, Environmental Commission, etc.** to set benchmarks to ensure the successful implementation of the Complete and Green Streets Policy including in Priority Communities consistent with Environmental Justice principals.

Key Terms & Definitions

Complete Streets: An integrated transportation network designed to enable safe and convenient travel and access along and across streets for all users of all ages and abilities, including pedestrians, bicyclists, motorists, movers of commercial goods, and transit riders.

Environmental Justice: Environmental justice is the fair treatment and meaningful involvement of all people regardless of race, color, national origin, or income, with respect to the development, implementation, and enforcement of environmental laws, regulations, and policies. Fair treatment means that no group of people should bear a disproportionate share of the negative environmental consequences resulting from industrial, governmental and commercial operations or policies.

Meaningful involvement means that:

1. People have an opportunity to participate in decisions about activities that may affect their environment and/or health.
2. The public's contribution can influence the regulatory agency's decision.
3. Community concerns will be considered in the decision-making process; and
4. Decision makers will seek out and facilitate the involvement of those potentially affected.

Green Streets: Streets with landscaped features installed in the rights-of-way that capture and allow stormwater runoff to soak into the ground, while still preserving the primary function of a street as a conduit for pedestrians, bicyclists, motorists, and transit riders. Stormwater runoff is excess water generated from rain and snowmelt events that flow over impervious surfaces, such as paved streets, parking lots, and building rooftops, and does not soak into the ground.

Green Street Stormwater Infrastructure Practices: Includes types of green infrastructure techniques used to manage stormwater, including but not limited to:

1. Street tree trenches/boxes: utilize soil, gravel, and plants to infiltrate and filter stormwater runoff from impervious surfaces
2. Bioswales: shallow channels that convey, slow down, and infiltrate stormwater runoff.
3. Vegetated curb bump outs: a vegetated curb extension that protrudes into the street either mid-block or at an intersection, creating a new curb some distance from the existing curb.
4. Permeable pavement: a stormwater drainage system that allows rainwater and runoff to move through the pavement's surface to a storage layer below, with water eventually seeping into underlying soil. Types of permeable pavement include pervious concrete, porous asphalt, interlocking concrete pavers, and grid pavers.

Green Stormwater Infrastructure: An approach to managing stormwater by infiltrating it in the ground where it is generated using vegetation or porous surfaces, or by capturing it for later reuse. Infiltration is when water falls to the earth as precipitation and seeps into the soil.

Priority Communities: The term Priority Communities refers to categories of underserved and adversely impacted populations. There is a wide range of definitions used to quantify and locate underserved populations developed by agencies and organizations dedicated to social equity by law or mission.

Each municipality should evaluate who and where there are concentrations of underserved or marginalized populations based on available data. Below are some of the categories to consider when defining Priority Communities:

1. Minority Concentrations
2. Low-Income Concentrations
3. Other Indicators of Underserved and Adversely Impacted Populations:
 - a. Female Head of Household with Children
 - b. Persons with Limited English Proficiency
 - c. Carless Households
 - d. Elderly Populations/Children
 - e. Persons with Disabilities
 - f. Hispanic Populations
 - g. Other Ethnic Minorities
 - h. Families in Poverty with Children

Traffic Calming: The combination of mainly physical measures that reduce the negative effects of motor vehicle use, alter driver behavior, and improve conditions for non-motorized street users. Traffic calming objectives include:

1. Achieving slow speeds for motor vehicles
2. Reducing collision frequency and severity
3. Increasing the safety and the perception of safety for non-motorized users of the street(s)

4. Reducing the need for police enforcement
5. Enhancing the street environment (e.g., streetscaping)
6. Encouraging water infiltration into the ground using Green Street stormwater infrastructure practices
7. Increasing access for all modes of transportation, and reducing cut-through motor vehicle traffic

Transit Amenities: Include seating, shelter and shade, wayfinding signage, trash and recycling cans, lighting, route information, bike infrastructure (lockers, racks, fix-it stations, depots, bikeshare, etc.).

Transportation Facility: A facility consisting of the means and equipment necessary for the movement of people or goods; any road, bridge, tunnel, overpass, ferry, airport, mass transit facility, vehicle parking facility, port facility or similar commercial facility used for the transportation of persons or goods together with any buildings, structures, parking areas, appurtenances, and other property needed to operate such facility; however, a commercial or retail use or enterprise not essential to the transportation of people or goods shall not be considered a transportation facility.

Transportation Project: Any public and/or private land development, project, program, or practice that affects the transportation network or occurs in the public right-of-way, including any construction, reconstruction, retrofit, signalization operations, resurfacing, restriping, rehabilitation, maintenance (excluding routine maintenance that does not change the roadway geometry or operations, such as mowing, sweeping, and spot repair), operations, alteration, and repair of any public street or roadway within a jurisdiction (including alleys, bridges, frontage roads, and other elements of the transportation system).

Public Participation

1. The **Mayor** shall establish a Complete and Green Streets Advisory Committee to help the **Township of West Orange** comply with the Complete and Green Streets Ordinance and to provide ongoing feedback to the **Municipality** related to the implementation of the Complete and Green Streets Ordinance. The Complete and Green Streets Advisory Committee shall consist of a broad group of stakeholders including:
 - a. **Municipal** Elected Officials

- b. Law Enforcement
- c. Public Works
- d. Planners
- e. Engineers
- f. Emergency Medical Services (EMS)
- g. Appointed Municipal or County Commissioners
- h. Fire
- i. Schools
- j. Business and Developer Community
- k. Civic and Advocacy Groups
- l. Public Health Professionals
- m. Transit Professionals
- n. Community Members, including Persons with Disabilities, Senior and Youth Organizations, Persons Representing Priority Communities
- o. EZ Ride, Regional Transportation Management Association
- p. Pedestrian Safety Advisory Board.

Beginning with the planning stage, **Township of West Orange** shall identify an existing process or develop a new process that allows for public participation in decision-making concerning the planning, design, and use of streets and roadways covered by this Policy.

Exceptions

1. A transportation project may not be required to accommodate the needs of a particular user group if the ***Council's representative*** determines in writing that:
 - a. The use of the transportation facility by the particular user group is prohibited by law;
 - b. Regulatory compliance requirements preclude accommodations.
 - c. There is a demonstrated absence of both a current and future need to accommodate the category of user (absence of future need may be shown via demographic, school,

- employment, and public transportation route data that demonstrate, for example, a low likelihood of bicycle, pedestrian, or transit activity in an area over the next 20 years); and
- d. The adverse impacts of implementing this Complete and Green Streets Policy significantly outweigh the benefits
 - e. In New Jersey, relatively few roads are closed to bicycle traffic. However, toll roads and some freeways, including interstates, are closed to bicyclists
 - f. Wetlands on both sides of a narrow roadway could pose a significant environmental constraint, preventing the construction of separated and adjacent bicycle facilities. If so, other accommodations should be explored to improve safety for bicyclists, for example, adding “sharrows” or identifying alternative convenient bike routes.
2. However, every effort to work within the flexibility allowed should be made, including Design Exceptions for roadway projects.
 3. An exception shall be granted only if:
 - a. Request for an exception is submitted **in writing** to the **Council** with supporting documentation, and made publicly available with a minimum of 30 days allowed for public input; and
 - b. The exception is approved **in writing** by the **Council**, and the written approval is made publicly available.

Program Reporting

1. The **Land Use Board for Planning and Zoning** shall establish benchmarks reflecting the ability of all users to travel safely and conveniently along highways, roads and streets.
2. Each such **Land Use Board for Planning and Zoning** shall also develop plans and set benchmarks to ensure the successful implementation of the Complete and Green Streets policy in Priority Communities consistent with Environmental Justice principals. On or before of each **end of the fiscal year** each such agency shall prepare an initial report to identify barriers, and propose solutions to successful implementation of the Complete and Green Streets policy including in Priority Communities.
3. Each such **Land Use Board for Planning and Zoning** shall assign appropriate responsibility to collect and monitor data under municipal jurisdiction, including in Priority Communities, to determine compliance with the **Township’s** benchmarks. Benchmarks shall include but are not limited to:

- a. Mileage of new and existing bicycle infrastructure, including in Priority Communities (e.g., bicycle lanes, bike parking, paths, and boulevards)
 - b. Linear feet (or mileage) of new and existing pedestrian infrastructure (e.g., sidewalks, trails, transit amenities)
 - c. Number of new and existing ADA-compliant infrastructure (e.g., curb ramps, pedestrian buttons)
 - d. Number of new and existing street trees
 - e. Number of green street practices (e.g., rain gardens, bioswales, permeable pavement)
 - f. Number of new and existing pedestrian and bicycle lighting improvements
 - g. Bicycle and pedestrian counts
 - h. Commute mode percentages (e.g., drive alone, carpool, transit, bicycle, walk)
 - i. The number and percentage of designated transit stops accessible via sidewalks and curb ramps
 - j. The number, locations, and causes of collisions, injuries, and fatalities by each mode of transportation
 - k. The percentage of children walking or bicycling to school
4. All benchmarks established by the **Township of West Orange** shall be disaggregated by race/ethnicity, neighborhood, and vehicle ownership when feasible.
5. Each such **Land Use Board for Planning and Zoning** shall provide a report on an annual basis to the **Council** to allow them to evaluate implementation of the Complete Street policy. Each annual report shall include the data collected pursuant to Program Reporting, as well as a list of ongoing and completed transportation projects during that fiscal year. If any exceptions are applied to transportation projects pursuant to Exceptions to Complete and Green Streets Requirements herein, such projects and the relevant exceptions should be identified in the annual report. All benchmarks and reports shall be made publicly available online.

Adoption of Complete and Green Streets Checklists

1. The **Land Use Board for Planning and Zoning** shall develop and adopt one or more Complete and Green Streets Checklists to be used during the project selection, planning, designing, construction, funding and maintenance of all transportation projects.
2. Each item in the checklist must include an area to provide a brief description for how the item is addressed, not addressed, or not applicable to the Complete and Green Streets policy.
3. The checklist shall explain the process for granting exceptions and indicate who is responsible for approving any exceptions before they are granted.

4. The ***Land Use Board for Planning and Zoning*** shall be responsible for completing the checklists and/or reviewing the checklists.
5. A Complete and Green Streets checklist shall entail but is not limited to:
 - a. Existing pedestrian, bicycle, transit, motor vehicle, and truck/freight accommodations (facilities) and operations
 - b. Traffic volumes
 - c. Existing safety and/or access issues, and Americans with Disabilities Act (ADA) compliance
 - d. Land use within the study area, including trip generators
 - e. Existing and proposed streetscape elements including furniture, trees or other environmental and stormwater enhancements
 - f. Review of existing plans
 - g. Proposed pedestrian, bicycle, transit, motor vehicle, and truck/freight accommodations (facilities) and desired future operations
 - h. ADA compliance of the proposed design
 - i. Compatibility with the surrounding land use and density
 - j. Consistency with applicable design standards and guidelines
 - k. Opportunities to improve public health through physical activity and mobility options
 - l. Opportunities to manage stormwater through green infrastructure
6. All Complete and Green Street checklists shall be made accessible online and available to the Complete and Green Streets Advisory Body.

Effective Date

The Complete and Green Streets policy shall take effect on **February 11, 2025** provided that it shall not apply to any transportation project for which a preliminary design has been completed on or before **December 31, 2024**.

NOW THEREFORE, BE IT RESOLVED, the **Township of West Orange** adopts the Complete and Green Streets Policy attached hereto, and made part of this Ordinance;

NOW, THEREFORE, be it resolved that the Mayor and Municipal Council adopts the attached Complete Streets Policy, goals and objectives.

BE IT FURTHER ORDAINED, that the remainder of Chapter 2 shall remain unchanged.

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict.

BE IT FURTHER RESOLVED that a copy of this Resolution be published in the West Orange Chronicle within ten (10) days of its approval as required by State Statute.

Susan McCartney, Mayor

A rectangular box containing a handwritten signature in black ink that reads "Joe Krakoviak".

Karen J. Carnevale, Municipal Clerk

Joe Krakoviak, Council President

Introduced: January 25, 2025

Adopted: February 28, 2025

Memorialized: March 11, 2025

LEGISLATIVE HISTORY

This Ordinance amends and supplements Chapter 2-61: “Pedestrian Safety Advisory Board” of the Township’s Revised General Ordinances to include to create a complete and green streets advisory committee and amending a complete and green streets policy. This policy provides the Township with a strong and effective strategy for achieving Complete and Green Streets.

The complete green streets policy provides the Township the opportunity to meet the criteria needed to gain recognition and apply for grant funds.